IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8326 OF 2006

Mukhtar Varisali Shaikh ...Petitioner
V/s.
Shaikh Sabidali Varis Ali ...Respondent

Shri S.S. Kulkarni for the Petitioner.
Shri V.S. Gokhale for the Respondent.

CORAM : V.M. KANADE, J.

DATED : MARCH 6, 2007

P.C. :-

1. Heard the learned Counsel for the petitioner and the learned Counsel for the respondent.

2. The petitioner takes exception to the order passed by the Civil Judge, Senior Division, Pune, restraining him from interfering with the possession of the respondent which order eventually was confirmed by the District Judge, Pune in Misc.Civil Appeal No.264/2006.

3. In my view, instead of deciding the application on merits, this petition can be conveniently disposed of by giving a direction to the trial Court to decide the

suit, as expeditiously as possible and in any case, within a period of six months. Since the interim order which has been passed by the trial court has continued to operate for a period of three years, in my view, it is not necessary to interfere with the said order at this stage. All contentions of both the parties are kept open.

4. Writ petition is disposed of in the above terms. The order of status quo passed by this court shall continue till the hearing and final disposal of the suit.

(V.M. Kanade, J.)